HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.NO. 22936 OF 2006

DATED: 8.11.2006

Between:

Gorrela Suresh and others

… Petitioners

and

Sri Uma Markandeswara Swamyvari
Devasthanam, Godavari Bund,
Rajahmundry, East Godavari District, represented by
its Executive Officer and others

… Respondents

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W.P.NO.22936 OF 2006

ORAL ORDER:

Heard Sri M. Lakshmana Sarma, learned counsel for the petitioners and the learned Government Pleaders for Endowment and Revenue on behalf of the respondents.

The petitioners seek a declaration that the action of the respondents in asking them to vacate land in an extent of Ac.18.00 in Sy.Nos. 8, 9, 10, 216, 317, 149/1 and 316 of Rajahmundry Town, without following due process of law, is illegal. The petitioners claim to be tenants of land belonging to the 1st respondent-Devasthanam and to be in possession and enjoyment of the said land for over half a century. They also claim to be cultivating the lands by paying rents. Of course, the petitioners do not assert to have any valid leases in their favour executed in the manner recognized by the provisions of the A.P. Charitable and Hindu Religious Institutions and Endowments Act, 1987 (for short 'the Act') and the Rules therein.

Be that as it may.

The petitioners claim to have heard that the Sub-Collector,

Rajahmundry and other officials are out to dispossess the petitioners from the lands in question, for the purpose of allotting them to weaker sections for construction of houses. Apprehending unlawful dispossession, the writ petition is filed.

On instructions, the learned Government Pleaders stated that there is not even a pending proposal for acquisition of these lands and that none of the respondents are moving to dispossess the petitioners from the lands in question.

In view of the submission made on behalf of the respondents, which is recorded, the grievance of the petitioners appears to be without any basis.

The writ petition is dismissed. There shall be no order as to costs.

GODA RAGHURAM, J

Date: 8.11.2006
CVM